

FILED
JAMES BONINI
CLERK

04 MAY 20 PM 3:50

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

)	CASE NO. C-1-01-0021
)	
)	
)	
JAN ALBERT CREUSERE,)	Judge Susan Beckwith
Plaintiff,)	
)	
vs.)	
)	
OHIO AND VICINITY REGIONAL)	
COUNCIL OF CARPENTERS,)	
et al.)	
Defendants,)	
-----)	

**REQUEST FOR RECONSIDERATION
BY A SENIOR JUDGE OF MOTION TO EXTEND
ALL COMPLETION DATES BY 150 DAYS (DOC 27)
AND FILING OF RELATED MOTIONS**

Introduction:

Plaintiff filed this complaint on January 16, 2001, three years and four months ago. The Sixth District Federal Court let this case languish unattended for a year and a half of that time, in spite of my repeated requests at the clerks office to get this thing moving. The clerk's office repeatedly told me to wait for the Court to contact me. I obeyed. When a conference was finally scheduled and held on Dec. 3, 2003, The Honorable Magistrate, Susan M. Novonty first told me that it was an "abomination" for the Court to let my case sit so long without attention. Then she immediately chided me for not having Initial Discovery according to Rule 26 ready for the next day. She also told me we had to "put our nose to the grindstone" to get this case resolved. She then banded about several completion dates for various parts of the case but she did NOT settle on all the dates for all the steps in

this litigation at that conference. In fact, when I tried to write down the ones settled on at the end of the meeting, she told me I didn't have to, that she would issue and scheduling order and send me a copy. The conference established some of the completion dates, but not all of them. She also said she would deny my Motion to Enlarge the number of Depositons to 20. Further, I told her I had had trouble with my mail being delivered and she indicated she would send it certified mail. That was the last I heard from the Court (unitl Doc 29). I followed what I thought was reasonable adherence to what I thought was determined at that conference, but, to date, I still have not received a scheduling order from the Court.

I filed a Motion to extend all completion dates by 150 days on May 5, 2004. The Honorable Magistrate Timothy S. Black did not take kindly to my Motion. He was wrong when he said the deadlines were established at the conference. The Honorable Magistrate Novomy hadn't even decided on all of them. He also went on to say the Order was sent by certified mail and he sent me a copy of it containing the US Postal Service tracking number of 7001 2510 0008 6348 9275.

WONDERFUL!

What the copy of the certified mail card does NOT show is a date or a signature. SHOW ME A SIGNED SIGNATURE CARD!

The Court uses the term "honorable" to refer to its Judges, and rightfully so. I now implore the Court to behave itself honorably and investigate what happened here. Is it too much to ask the Court to give an accounting of its behavior toward me in this case? I think not! If there is no signed signature card, then why didn't someone catch that when no signature card was returned to the Court? Neither my wife, Mary A. Creusere, nor I signed a signature card with this tracking number on it.

The Defendants and I have already agreed to jointy move the Court to dismiss this case but I will not sign the Stipulated Motion to Dismiss until the Court owns up to its obligations. Therefore the following Motions are tendered:

MOTION

The Plaintiff moves the Court to Reconsider his Motion to Extend the Completion Dates;

MOTION

The Plaintiff moves the Court to investigate the issuance and service of the Scheduling Order in question;

MOTION

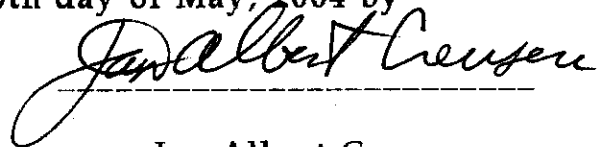
The Plaintiff moves the Court to Hold the above captioned case in abeyance until such investigation is completed;

MOTION

The Plaintiff moves the Court to find the Sixth District Federal Court guilty of breach of contract and refund his \$150.00 filing fee and issue a written letter of apology to Plaintiff (if such investigation finds in favor of the Plaintiff) upon completion of said investigation and granting of subsequent Joint Stipulated Motion to Dismiss.

By the way, there is also no date on the copy of the Scheduling Order sent with The Honorable Magistrate Timothy S. Black's denial of my Motion to Extend the Completion Dates.

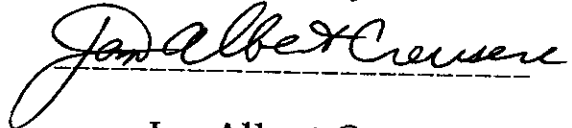
Respectfully submitted this 20th day of May, 2004 by

A handwritten signature in cursive script, reading "Jan Albert Creusere", written over a horizontal line.

Jan Albert Creusere

Certificate of Service

I, Jan Albert Creusere, Plaintiff *pro se*, hereby attest and affirm that a true and accurate copy of the above Reconsideration and related Motions was sent to Fred Seleman, Counsel for the Defendants, c/o Ulmer & Berne, LLP, Penton Media Building, 1300 East Ninth Street, Suite 900, Cleveland, OH 44114, via regular first class mail, postage prepaid, on this 20th day of May, 2004.

A handwritten signature in cursive script, reading "Jan Albert Creusere", written over a horizontal dashed line.

Jan Albert Creusere
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